

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

David W. Fiore

v.

Case No. 06-cv-072-JD

United States of America

NOTICE OF RULING

Re: Document No. 4, Motion for Certificate of Appealability,

Ruling: Denied. The petitioner failed to file his section 2255 motion within the time limit provided by statute, he did not present any basis for finding that he fell within any exception, and he has failed to make a substantial showing of the denial of a constitutional right under these circumstances.

Date: April 19, 2006

cc: David W. Fiore, pro se
Mark E. Howard, Esquire